

Vacant, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

**CITY COUNCIL SUPPLEMENTAL AGENDA
FOR THE MEETING OF APRIL 21, 2009**

This Supplemental Agenda contains corrections and additions, which were posted more than 72 hours in advance of the above meeting date.

REQUEST:

The Mayor's office requests the deletion of one and the addition of another Presentation as follows:

SEASON OF NON-VIOLENCE WRAP-UP

PROCLAMATION FOR CHILDREN'S DAY

CONSENT CALENDAR:

4. 09-0383

REQUEST:

The City Auditor requests that a revised page 4 of the September 30, 2008 Audit Report for Agenda Item No. 4 be distributed for the City Council meeting of April 21, 2009. Recommended action remains the same.

Recommendation to receive and file 3rd and 4th Quarters of Cash and Investments for the quarters ending June 30, 2008, and September 30, 2008.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

20. 09-0405

REQUEST:

Councilmember Suja Lowenthal, Second District, requests that Agenda Item No. 20 be withdrawn from the City Council agenda of April 21, 2009.

~~Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on April 14, 2009.~~

Office or Department: COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT

Suggested Action: Approve recommendation.

ORDINANCE:

29. 09-0278

REQUEST:

The City Attorney requests that the revised ordinance, requested by the City Council at the April 14, 2009 meeting, be distributed for the City Council meeting of April 21, 2009. Recommended action remains the same.

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 21.60, Divisions I through III, relating to relocation assistance, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

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City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: *April 17, 2009*

To: Larry Herrera, City Clerk

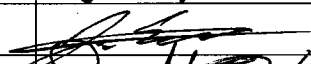

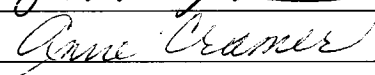
From: *Mayor Bob Foster*

Subject: Request to Add Agenda Item to Council Agenda of *April 21, 2009*

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Proclamation for Children's Day

Council District	Authorizing Councilmember	Signed by
6th	Dee Andrews	
8th	Rae Gabelich	
3rd	GARY DELONG	

CC: Office of the Mayor



OFFICE OF THE CITY AUDITOR
Long Beach, California

C-4

LAURA L. DOUD, CPA
City Auditor

April 21, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the 3rd and 4th Quarters of Cash and Investments for the quarters ending June 30, 2008, and September 30, 2008.

DISCUSSION:

Pursuant to Section 803 of the City Charter, the Office of the City Auditor is charged with verifying cash in the City Treasury on a quarterly basis and providing a written report to the City Council. Attached are the quarterly Reports of Cash and Investments for the quarters ending June 30, 2008, and September 30, 2008.

TIMING CONSIDERATIONS:

This item is not time sensitive.

FISCAL IMPACT:

There is no fiscal impact.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Laura L. Doud, CPA
CITY AUDITOR

Attachment

Office of the City Auditor

Audit Report
Quarterly Audit of Cash & Investments
As of June 30, 2008

April 2009



Audit Staff

City Auditor: Laura L. Doud
Assistant City Auditor: James Johnson
Deputy City Auditor: Janet Day
Senior Auditor: Sotheary Hul
Staff Auditor: Kris Lopez
Staff Auditor: Scott Gardiner

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EXECUTIVE SUMMARY

The Office of the City Auditor has completed the quarterly audit of the cash and investment balances of the City of Long Beach as of June 30, 2008. The City of Long Beach's management is responsible for the schedules of cash and investments. Our responsibility is to verify cash on a quarterly basis and provide a written report to the City Council. As of June 30, 2008, the City's cash and investment portfolio totaled \$2.04 billion.

Based on the results of audit procedures performed as described below, cash and investment balances as recorded on the City's books as of June 30, 2008 agree as to the amount and description with outside depositories. Also, we found the City to be in compliance with the California Government Code and the City's Investment Policy.

BACKGROUND

City Charter Mandate

Pursuant to Section 803 of the Charter of the City of Long Beach, California, the Office of the City Auditor is charged with verifying cash in the City Treasury on a quarterly basis and providing a written report to the City Council.

This performance audit of the cash and investment balances of the City of Long Beach includes verifying cash and investments with outside depositories, and evaluating the City Treasurer's compliance with California Government Code Section 53601 and the City's Investment Policy, which is adopted annually by the City Council.

Pooled Cash and Investments

The City's pooled cash is a grouping of the City's available cash for investments. The larger amount of money involved in a pool allows the group of funds to earn a higher rate of return than each fund could receive by itself. Pooled funds that are not needed for operations are invested by the Treasury Bureau. The interest income earned in pooled cash and investments is apportioned to funds based on the ratio of daily cash balances to the total of pooled cash and investments.

Non-pooled Cash and Investments

Generally, non-pooled cash is used for specific project operations or pledged for reserves or interest payments of outstanding debt.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of our audit were to agree cash and investments as to the amount and description recorded on the City's books with outside depositories and to evaluate the City's compliance with provisions of the California Government Code Section 53601 and the City's Investment Policy.

The scope of this audit was limited to the quarter ending June 30, 2008.

We performed the following procedures in our audit:

- Conducted interviews of management personnel to gain an understanding of the internal controls in place surrounding the safeguarding of City's cash and investments.
- Obtained written confirmations of all cash held by banks and investments held by the City Treasurer's safekeeping agent and other custodians as of June 30, 2008 and agreed them to the City's general ledger.
- Traced the balance of total investments on the City Treasurer's Investment Holdings Report as of June 30, 2008 to the City's general ledger.
- Analyzed the bank account and investment reconciliations as of June 30, 2008 and agreed them to the City's general ledger. This included testing, on a sample basis, the various adjustments made on the reconciliations.
- Compared investments listed on the City Treasurer's Investment Activity Portfolio Statistics Report as of June 30, 2008 to the types of investments authorized for the City in accordance with the City's Investment Policy and California Government Code Section 53601.
- Compared the portfolio mix of investment types listed in the City Treasurer's Investment Activity Portfolio Statistics Report as of June 30, 2008 to the portfolio mix limitations imposed by the City's Investment Policy and California Government Code Section 53601 for specific investment types.
- Recomputed and reviewed supporting documentation, on a sample basis, relevant to the purchase, sale and maturity of individual investments to determine compliance with the following provisions of California Government Code Section 53601 and the City's Investment Policy:
 - Purchase of investments meet minimum rating requirements and maximum allowable maturity periods.
 - All sections of the investment transaction record are properly completed and authorized by the City Treasurer.
 - Transactions are supported by documentation from third-party sources (individual broker confirmations, safekeeping statements, custodian statements, etc.).

The City finalizes its calculations of accrued interest at the end of the fiscal year; thus, testing of this interest is conducted as part of our fourth quarter cash and investments audit. As such, we did not test accrued interest, which is excluded from the Total Cash and Investments as of June 30, 2008. In addition, the allocation of pooled cash and investments between funds was outside the scope of this audit.

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

RESULTS AND CONCLUSIONS

The City's cash and investment balances as of June 30, 2008 are summarized as follows:

Pooled Cash and Investments	\$ 1,796,380,678
Non-Pooled Cash and Investments	<u>241,740,373</u>
Total Cash and Investments	<u>\$ 2,038,121,051</u>

The Schedule of Pooled and Non-Pooled Cash and Investment Balances by Fund, and the Schedule of Pooled and Non-Pooled Cash and Investment Balances by Security Type are attached.

Based on the results of audit procedures performed, cash and investment balances as recorded on the City's books as of June 30, 2008 agree as to the amount and description with outside depositories. Also, we found the City to be in compliance with the California Government Code and the City's Investment Policy.

MANAGEMENT COMMENTS

Management concurs with the results of this audit report.

ATTACHMENT I

**CITY OF LONG BEACH
OFFICE OF THE CITY AUDITOR**

**POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY FUND
AT JUNE 30, 2008 WITH COMPARATIVE TOTALS FOR JUNE 30, 2007**

Fund #	Name of Fund	Pooled 6/30/2008	Non-Pooled 6/30/2008	Total at 6/30/2008	Total at 6/30/2007
100	General Fund, General	\$ 110,297,588	\$ 4,252,348	\$ 114,549,936	\$ 86,692,385
103	General Fund, Library	(5,767,852)	20,705	(5,747,147)	(2,240,624)
105	General Fund, Parks and Recreation	(2,533,002)	2,334,640	(198,362)	3,149,173
120	Special Revenue, General Grants	7,100,931	-	7,100,931	4,770,212
121	Special Revenue, Police & Fire	2,240,562	-	2,240,562	-
130	Special Revenue, Health	(1,159,272)	10,650	(1,148,622)	(1,762,859)
131	Special Revenue, CUPA	358,520	-	358,520	352,594
132	Special Revenue, Parking & Business	893,790	-	893,790	1,006,668
133	Special Advertising & Promotion	1,359,842	281	1,360,123	1,888,385
134	Special Revenue, Upland Oil	3,978,015	-	3,978,015	4,790,377
135	Housing Development	45,756,308	10,212	45,766,520	40,200,971
136	Belmont Shore Parking Meters	601,662	36,502	638,164	558,343
137	Planning & Building Department	3,040,019	-	3,040,019	289,555
149	Special Revenue, Business Assistance	1,500,374	-	1,500,374	1,911,964
150	Community Development Grants	2,219,666	12,956	2,232,622	4,111,839
151	Housing Authority	18,519,107	134,251	18,653,358	17,604,462
180	Special Revenue, Park Development	496,191	-	496,191	429,827
181	Gas Tax Street Improvement	4,579,213	-	4,579,213	11,272,467
182	Special Revenue, Transportation	43,740,640	-	43,740,640	32,332,707
201	Capital Projects	20,009,900	17,701,488	37,711,388	39,618,500
202	Assessment District-Capital Projects	2,698,232	109	2,698,341	2,584,594
220	RDA-LB Bond Authority	-	31,798	31,798	53,627
221	RDA-Poly High	984,785	244,686	1,229,471	1,897,750
222	RDA-West Beach	1,887,713	1,423,317	3,311,030	3,170,738
223	RDA-West Long Beach	22,709,319	3,122,883	25,832,202	23,438,089
224	RDA-Downtown	19,959,335	8,191,141	28,150,476	22,474,413
225	RDA-Project Income	2,896,852	-	2,896,852	2,886,787
227	RDA-Los Altos	683,977	407,989	1,091,966	919,974
228	RDA-Central	8,126,962	10,618,414	18,745,376	20,836,190
230	RDA-North	26,017,283	38,782,912	64,800,195	64,639,082
232	RDA-Housing	22,353	31,506,354	31,528,707	47,713,242
301	Gas Revenue	11,331,542	655,500	11,987,042	14,233,992
310	Water	8,017,543	3,619,050	11,636,593	11,618,748
311	Sewer	3,419,130	-	3,419,130	6,682,510
320	Airport	20,731,975	3,748,952	24,480,927	21,107,822
330	Refuse/Recycling	24,629,304	3,000	24,632,304	23,986,782
331	SERRF	38,709,891	-	38,709,891	37,258,151
339	SERRF JPA	285,085	12,251,121	12,536,206	12,480,666
340	Towing Operations	540,481	3,700	544,181	1,690,081
380	Civic Center	8,765,317	4,003,352	12,768,669	21,784,358
385	General Services	3,516,852	3,041	3,519,893	3,205,324

ATTACHMENT I
(continued)
CITY OF LONG BEACH
OFFICE OF THE CITY AUDITOR

POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY FUND
AT JUNE 30, 2008 WITH COMPARATIVE TOTALS FOR JUNE 30, 2007

Fund #	Name of Fund	Pooled 6/30/2008	Non-Pooled 6/30/2008	Total at 6/30/2008	Total at 6/30/2007
386	Fleet Services Fund	9,828,882	2,753,276	12,582,158	14,042,274
390	Insurance	17,099,133	61	17,099,194	10,999,274
391	Employee Benefits	64,985,158	-	64,985,158	69,921,193
401	Tidelands Operations	44,313,156	14,934,759	59,247,915	40,222,034
403	Tidelands-Marina	8,034,499	15,600	8,050,099	3,354,643
410	Queen Mary	1,381,951	-	1,381,951	1,032,211
411	Tidelands Operating - Rainbow Harbor Area	2,073,447	4,562,951	6,636,398	7,687,150
420	Tidelands Oil Revenue	75,894,949	3,000	75,897,949	22,983,424
421	Tidelands Reserve - Subsidence	160,153,767	2,544,290	162,698,057	155,062,646
430	Harbor - Operations	650,978,989	35,000	651,013,989	647,667,762
431	Harbor - Capital	(86,822,940)	-	(86,822,940)	(107,658,936)
432	Harbor Debt Service	379,092,418	53,610,258	432,702,676	406,762,041
433	Harbor - Clean Air Action Plan	31	-	31	-
440	Expandable Trusts	1,054,826	-	1,054,826	1,006,518
451	ICTF JPA	12,400,559	-	12,400,559	11,062,247
452	Earthquake Assessment Agency Funds	1,990,075	-	1,990,075	1,905,568
453	Other Special Assessment	2,500,606	-	2,500,606	2,460,773
455	Other Agency	2,715,303	1,500	2,716,803	2,489,332
460	Los Cerritos Wetlands Authority	-	29,813	29,813	14,879
	Agency Special Assessment CFD #5 LB				
470	Towne Center	131,899	1,299,052	1,430,951	1,382,258
	Agency Special Assessment LBBFA Local				
471	Agency	-	871,058	871,058	845,403
	Agency Special Assessment CFD#6 Pike				
472	Pub Impv	154,117	3,243,726	3,397,843	3,467,930
473	Agency Special Assessment - Douglas Park	522,009	14,704,677	15,226,686	-
999	Accrued Interest Receivable	(15,268,289)	-	(15,268,289)	-
TOTAL CASH AND INVESTMENTS		\$ 1,796,380,678 *	\$ 241,740,373	\$ 2,038,121,051	\$ 1,888,350,490 **

* We tested the City's Pooled Investment Fund in aggregate; the City's allocation of Pooled Investments is presented for informational purposes only.

** The total for 6/30/2007 includes accrued interest. Accrued interest was deducted from Pooled Cash and Investments as of 6/30/2008.

ATTACHMENT II

**CITY OF LONG BEACH
OFFICE OF THE CITY AUDITOR**

**POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY SECURITY TYPE
AT JUNE 30, 2008 WITH COMPARATIVE TOTALS FOR JUNE 30, 2007**

	Pooled 6/30/2008	Non-Pooled 6/30/2008	Total 6/30/2008	Total * 6/30/2007
CASH:				
Cash in Banks	\$ 10,579,290	\$ 782,339	\$ 11,361,629	\$ 9,221,529
Cash with Fiscal Agents	-	191,936,590	191,936,590	\$ 217,992,440
	<u>\$ 10,579,290</u>	<u>\$ 192,718,929</u>	<u>\$ 203,298,219</u>	<u>\$ 227,213,969</u>
INVESTMENTS:				
U.S. Treasury Notes	\$ 84,666,151	\$ -	\$ 84,666,151	\$ 175,237,867
Federal Farm Credit Bank	112,765,769	-	112,765,769	109,431,758
Federal Home Loan Bank	392,108,267	-	392,108,267	344,651,045
Federal National Mortgage Association	287,322,477	-	287,322,477	405,399,014
Federal Home Loan Mortgage Corporation	408,872,397	-	408,872,397	341,258,360
Medium Term Notes	89,421,804	-	89,421,804	52,136,311
Commercial Paper	224,832,696	-	224,832,696	149,745,696
L.A.I.F.	144,887,268	-	144,887,268	30,901,464
Money Market	38,000,000	-	38,000,000	-
Certificates of Deposit	-	10,000,000	10,000,000	10,000,000
Guaranteed Investment Contracts	-	36,477,154	36,477,154	36,477,414
Special Assessment Bonds	-	1,519,564	1,519,564	1,420,001
Municipal Bonds	-	1,024,726	1,024,726	1,329,470
Savers Loan	2,924,559	-	2,924,559	3,148,121
Total Investments	<u>\$ 1,785,801,388</u>	<u>\$ 49,021,444</u>	<u>\$ 1,834,822,832</u>	<u>\$ 1,661,136,521</u>
TOTAL CASH AND INVESTMENTS	<u>\$ 1,796,380,678</u>	<u>\$ 241,740,373</u>	<u>\$ 2,038,121,051</u>	<u>\$ 1,888,350,490</u>

* All amounts presented as of 6/30/2007 include accrued interest; the amounts presented as of 6/30/2008 exclude accrued interest.

Office of the City Auditor

Audit Report
Quarterly Audit of Cash & Investments

As of September 30, 2008

April 2009



Audit Staff

City Auditor: Laura L. Doud
Assistant City Auditor: James Johnson
Deputy City Auditor: Janet Day
Staff Auditor: Jessica Machado
Staff Auditor: Scott Gardiner

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EXECUTIVE SUMMARY

The Office of the City Auditor has completed the quarterly audit of the cash and investment balances of the City of Long Beach as of September 30, 2008. The City of Long Beach's management is responsible for the schedules of cash and investments. Our responsibility is to verify cash on a quarterly basis and provide a written report to the City Council. As of September 30, 2008, the City's cash and investment portfolio totaled \$1.95 billion.

This performance audit of the cash and investment balances of the City of Long Beach includes verifying cash and investments with outside depositories, and evaluating the City Treasurer's compliance with California Government Code Section 53601 and the City's Investment Policy, which is adopted annually by the City Council.

Based on the results of audit procedures performed as described below, cash and investment balances as recorded on the City's books as of September 30, 2008, agree as to the amount and description with outside depositories. Also, we found the City to be in compliance with the California Government Code and the City's Investment Policy.

BACKGROUND

City Charter Mandate

Pursuant to Section 803 of the Charter of the City of Long Beach, California, the Office of the City Auditor is charged with verifying cash in the City Treasury on a quarterly basis and providing a written report to the City Council.

Pooled Cash and Investments

The City's pooled cash is a grouping of the City's available cash for investments. The larger amount of money involved in a pool allows the group of funds to earn a higher rate of return than each fund could receive by itself. Pooled funds that are not needed for operations are invested by the Treasury Bureau. The interest income earned in pooled cash and investments is apportioned to funds based on the ratio of daily cash balances to the total of pooled cash and investments.

Non-pooled Cash and Investments

Generally, non-pooled cash is used for specific project operations or pledged for reserves or interest payments of outstanding debt.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of our audit were to agree cash and investments as to the amount and description recorded on the City's books with outside depositories and to evaluate the City's compliance with provisions of the California Government Code Section 53601 and the City's Investment Policy.

The scope of this audit was limited to the quarter ending September 30, 2008.

We performed the following procedures in our audit:

- Conducted interviews of management personnel to gain an understanding of the internal controls in place surrounding the safeguarding of City's cash and investments.
- Obtained written confirmations of all significant cash accounts and held by banks and investments held by the City Treasurer's safekeeping agent and other custodians as of September 30, 2008 and agreed them to the City's general ledger.
- Traced the balance of total investments on the City Treasurer's Investment Holdings Report as of September 30, 2008 to the City's general ledger.
- Analyzed the bank account and investment reconciliations as of September 30, 2008 and agreed them to the City's general ledger. This included testing, on a sample basis, the various adjustments made on the reconciliations.
- Compared investments listed on the City Treasurer's Investment Activity Portfolio Statistics Report as of September 30, 2008 to the types of investments authorized for the City in accordance with the City's Investment Policy and California Government Code Section 53601.
- Compared the portfolio mix of investment types listed in the City Treasurer's Investment Activity Portfolio Statistics Report as of September 30, 2008 to the portfolio mix limitations imposed by the City's Investment Policy and California Government Code Section 53601 for specific investment types.
- Recomputed and reviewed supporting documentation, on a sample basis, relevant to the purchase, sale and maturity of individual investments to determine compliance with the following provisions of California Government Code Section 53601 and/or the City's Investment Policy:
 - Purchase of investments meet minimum rating requirements and maximum allowable maturity periods.
 - All sections of the investment transaction record are properly completed and authorized by the City Treasurer.
 - Transactions are supported by documentation from third-party sources (individual broker confirmations, safekeeping statements, custodian statements, etc.).

The allocation of pooled cash and investments between funds was outside the scope of this audit.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

RESULTS AND CONCLUSIONS

The City's cash and investment balances as of September 30, 2008 are summarized as follows:

Pooled Cash and Investments	\$ 1,703,567,473
Non-Pooled Cash and Investments	<u>250,531,133</u>
Total Cash and Investments	<u>\$ 1,954,098,606</u>

The Schedule of Pooled and Non-Pooled Cash and Investment Balances by Fund and the Schedule of Pooled and Non-Pooled Cash and Investment Balances by Security Type are attached.

Based on the results of audit procedures performed, cash and investment balances as recorded on the City's books as of September 30, 2008 agree as to the amount and description with outside depositories. Also, we found the City to be in compliance with the California Government Code and the City's Investment Policy.

We noted an internal control issue that we reported to management of the City of Long Beach, Office of Financial Management, in a separate letter dated March 24, 2009.

MANAGEMENT COMMENTS

Management concurs with the results of this audit report.

ATTACHMENT I

**POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY FUND
AT SEPTEMBER 30, 2008 WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2007**

Fund #	Name of Fund	Pooled 9/30/2008	Non-Pooled 9/30/2008	Total at 9/30/2008	Total at 9/30/2007
100	General Fund, General	\$ 42,054,354	\$ 4,377,717	\$ 46,432,071	\$ 87,082,121
103	General Fund, Library	228,847	20,705	249,552	495,241
105	General Fund, Parks and Recreation	3,841,852	2,166,268	6,008,120	6,106,471
120	Special Revenue, General Grants	4,060,870	-	4,060,870	4,750,541
121	Special Revenue, Police & Fire	1,161,956	-	1,161,956	892,925
130	Special Revenue, Health	1	6,120	6,121	616,306
131	Special Revenue, CUPA	274,150	-	274,150	154,723
132	Special Revenue, Parking & Business	843,763	-	843,763	634,871
133	Special Advertising & Promotion	2,041,255	281	2,041,536	1,943,771
134	Special Revenue, Upland Oil	6,049,202	-	6,049,202	3,870,726
135	Housing Development	37,275,047	13,898	37,288,945	38,708,665
136	Belmont Shore Parking Meters	636,322	39,491	675,813	628,154
137	Planning & Building Department	3,932,131	-	3,932,131	1,894,158
149	Special Revenue, Business Assistance	1,234,195	-	1,234,195	1,299,741
150	Community Development Grants	1,825,799	13,848	1,839,647	4,781,650
151	Housing Authority	16,311,378	60,585	16,371,963	19,291,694
180	Special Revenue, Park Development	160,189	-	160,189	461,721
181	Gas Tax Street Improvement	6,181,958	-	6,181,958	10,127,222
182	Special Revenue, Transportation	39,186,160	-	39,186,160	33,099,212
201	Capital Projects	19,376,100	18,693,694	38,069,794	41,272,701
202	Assessment District-Capital Projects	2,720,718	153	2,720,871	2,614,872
220	RDA-LB Bond Authority	-	32,177	32,177	38,773
221	RDA-Poly High	566,481	244,408	810,889	1,635,072
222	RDA-West Beach	1,238,318	1,316,352	2,554,670	2,415,924
223	RDA-West Long Beach	17,847,108	3,171,053	21,018,161	22,045,357
224	RDA-Downtown	14,174,380	8,335,755	22,510,135	24,966,119
225	RDA-Project Income	2,886,830	-	2,886,830	2,679,445
227	RDA-Los Altos	350,637	411,706	762,343	727,754
228	RDA-Central	1,360,286	10,531,893	11,892,179	13,228,497
230	RDA-North	9,128,487	34,335,425	43,463,912	57,394,913
232	RDA-Housing	23,998	31,404,922	31,428,920	43,997,568
301	Gas Revenue	2,814,613	655,500	3,470,113	11,311,162
303	Gas Prepaid	-	17,256,917	17,256,917	-
310	Water	10,540,578	3,619,050	14,159,628	12,204,938
311	Sewer	3,214,816	-	3,214,816	5,287,400
320	Airport	21,777,810	78,003	21,855,813	21,192,175
330	Refuse/Recycling	26,339,882	3,000	26,342,882	23,404,012
331	SERRF	41,239,363	-	41,239,363	41,480,264
339	SERRF JPA	236,304	12,696,117	12,932,421	12,433,340
340	Towing Operations	189,648	3,700	193,348	1,026,622
380	Civic Center	7,604,385	3,778,959	11,383,344	17,460,851
385	General Services	5,233,263	3,041	5,236,304	5,556,127

ATTACHMENT I

(continued)

**POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY FUND
AT SEPTEMBER 30, 2008 WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2007**

Fund #	Name of Fund	Pooled 9/30/2008	Non-Pooled 9/30/2008	Total at 9/30/2008	Total at 9/30/2007
386	Fleet Services Fund	9,133,785	2,881,541	12,015,326	13,165,951
390	Insurance	16,675,625	61	16,675,686	11,783,589
391	Employee Benefits	65,696,431	-	65,696,431	52,909,323
401	Tidelands Operations	46,501,419	15,783,105	62,284,524	42,439,750
403	Tidelands-Marina	6,991,326	15,600	7,006,926	1,818,996
410	Queen Mary	3,645,802	-	3,645,802	1,104,861
411	Tidelands Operating - Rainbow Harbor Area	3,148,401	4,582,463	7,730,864	8,299,946
420	Tidelands Oil Revenue	63,531,242	3,000	63,534,242	53,595,765
421	Tidelands Reserve - Subsidence	160,298,785	2,400,270	162,699,055	157,439,810
430	Harbor - Operations	560,949,166	35,000	560,984,166	555,199,171
432	Harbor Debt Service	397,233,720	54,282,972	451,516,692	439,553,209
440	Expandable Trusts	1,027,675	-	1,027,675	992,495
451	ICTF JPA	4,402,258	-	4,402,258	11,195,629
452	Earthquake Assessment Agency Funds	1,596,445	-	1,596,445	1,557,514
453	Other Special Assessment	2,142,582	-	2,142,582	1,734,121
455	Other Agency	3,358,899	1,500	3,360,399	2,772,248
460	Los Cerritos Wetlands Authority	-	17,584	17,584	34,342
	Agency Special Assessment CFD #5 LB				
470	Towne Center	954,153	1,287,548	2,241,701	2,227,450
	Agency Special Assessment LBBFA Local				
471	Agency	-	873,985	873,985	856,959
	Agency Special Assessment CFD#6 Pike				
472	Pub Impv	2,582	5,244,941	5,247,523	5,233,876
473	Agency Special Assessment - Douglas Park	113,743	9,850,825	9,964,568	14,549,699
TOTAL CASH AND INVESTMENTS		\$ 1,703,567,473 *	\$ 250,531,133	\$ 1,954,098,606	\$ 1,959,678,503

* We tested the City's Pooled Investment Fund in aggregate; the City's allocation of Pooled Investments is presented for informational purposes only (Note: interest accruals for investments are included in these amounts).

ATTACHMENT II

**POOLED AND NON-POOLED CASH AND INVESTMENT BALANCES BY SECURITY TYPE
AT SEPTEMBER 30, 2008 WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2007**

	Pooled 9/30/2008	Non-Pooled 9/30/2008	Total 9/30/2008	Total 9/30/2007
CASH:				
Cash in Banks	\$ 40,561,425	\$ 708,420	\$ 41,269,845	\$ 22,866,375
Cash with Fiscal Agents	-	183,205,542	183,205,542	\$ 223,632,502
	<u>\$ 40,561,425</u>	<u>\$ 183,913,962</u>	<u>\$ 224,475,387</u>	<u>\$ 246,498,877</u>
INVESTMENTS:				
U.S. Treasury Notes	\$ 55,816,625	\$ -	\$ 55,816,625	\$ 145,148,694
Federal Farm Credit Bank	92,999,207	-	92,999,207	89,333,850
Federal Home Loan Bank	477,696,353	-	477,696,353	354,763,051
Federal National Mortgage Association	359,103,202	-	359,103,202	438,821,519
Federal Home Loan Mortgage Corporation	359,571,111	-	359,571,111	307,865,535
Medium Term Notes	84,152,097	-	84,152,097	49,880,870
Commercial Paper	-	-	-	135,873,735
L.A.I.F.	160,844,517	-	160,844,517	139,156,379
Money Market	69,931,057	-	69,931,057	-
Certificates of Deposit	-	10,019,583	10,019,583	10,000,000
Guaranteed Investment Contracts	-	54,197,318	54,197,318	36,477,419
Special Assessment Bonds	-	1,542,540	1,542,540	1,450,634
Municipal Bonds	-	857,730	857,730	1,309,725
Savers Loan	2,891,879	-	2,891,879	3,098,215
Total Investments	<u>1,663,006,048</u>	<u>66,617,171</u>	<u>1,729,623,219</u>	<u>1,713,179,626</u>
TOTAL CASH AND INVESTMENTS	<u>\$ 1,703,567,473</u>	<u>\$ 250,531,133</u>	<u>\$ 1,954,098,606</u>	<u>\$ 1,959,678,503</u>

1 ninety (90) days prior to the application for demolition.

2 B. The tract map is for the conversion to condominium units of
3 apartment units which are occupied by very low or low income
4 households, and will result in the displacement of such households which
5 were tenant households at the time of approval of the tentative tract map,
6 or who rented a unit in such a project after the first notice of intention to
7 convert was given without being notified of the intended conversion and
8 who continued to rent or lease at the time as specified in the notice given
9 to tenants ten (10) days prior to approval of the final tract map as required
10 by Subsection 20.32.040.F of this Code.

11 21.60.330 When benefits inapplicable.

12 Relocation benefits are not required to be paid or given when the
13 applicant provides evidence to the satisfaction of the Housing Services
14 Bureau that the tenant household: 1) moved voluntarily (which shall not
15 include the situation where the landlord/owner has served the tenant with
16 a thirty (30) or sixty (60) day notice to quit or vacate), 2) that the unit has
17 been continuously vacant for at least six (6) months prior to the
18 application, 3) that the unit has been occupied by a household which is not
19 very low or low income for at least six (6) months prior to the application,
20 4) that the unit has never been occupied prior to the application, or 5) that
21 the application involves the demolition of no more than one (1) single
22 family dwelling unit. No owner or the agent of an owner shall evict a
23 tenant in order to avoid the provisions of this Chapter.

24 21.60.340 Payments and distribution of relocation benefits.

25 A. The relocation benefits required by this Chapter shall be paid by
26 the owner or designated agent directly to the tenant household in the form
27 of a certified check, cashier's check, or money order after the issuance of
28 the one hundred eighty (180) day notice. Upon proof of new tenancy

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING CHAPTER 21.60,
DIVISIONS I THROUGH III, RELATING TO RELOCATION
ASSISTANCE

The City Council of the City of Long Beach ordains as follows:

Section 1. Divisions I through III of Chapter 21.60 of the Long Beach
Municipal Code are amended to read as follows:

Chapter 21.60

RELOCATION ASSISTANCE FOR HOUSEHOLDS DISPLACED
DUE TO DEMOLITION OR CONDOMINIUM CONVERSION ACTIVITY,
AND MEETING THE HOUSING NEEDS OF PERSONS OF VERY LOW
AND LOW INCOME HOUSEHOLDS

Division I. Purpose, Definitions and Applicability.

21.60.110 Purpose.

The purpose and intent of this Chapter is to mitigate problems
caused by displacement of very low and low income households, and to
provide relocation assistance to very low or low income households
displaced due to demolition or condominium conversion.

21.60.120 Definitions.

In addition to the definitions set forth in Chapter 21.15, the following
definitions shall apply to this Chapter 21.60.

1 A. "Affordable unit" means a unit with housing costs that do not
2 exceed:

3 1. Thirty percent (30%) of household income of a low income
4 or very low income household for rental units; or

5 2. Thirty percent (30%) of household income of a low income
6 or very low income household for-sale units.

7 B. "Disabled person" means any head of household who meets the
8 definition in Section 12926 (I) or (K) of the California Government Code, or
9 any successor section or sections thereto.

10 C. "Housing cost" means the monthly rent for rental units or
11 mortgage payments for-sale units.

12 D. "HUD" means the United States Department of Housing and
13 Urban Development or its successors.

14 E. "Income eligibility" means the gross annual household income
15 anticipated for the next twelve (12) month period received by the family
16 head, spouse and each additional person eighteen (18) years of age or
17 older who will be residing in the household, regardless of source and
18 including all net income derived from assets.

19 F. "In-lieu fee" means a fee paid to the City Housing Development
20 Fund by developers subject to this Chapter in lieu of providing affordable
21 units required by this Chapter.

22 G. "Low income household" means a household who qualifies as
23 "lower income" pursuant to Health and Safety Code Section 50079.5, or
24 any successor statute thereto.

25 H. "Market rate unit" means a dwelling unit which is not subject to
26 ownership or rental limitations under this Chapter.

27 I. "Off-site construction" means erection of very low or low income
28 housing units on land within the City of Long Beach other than a project

1 site for which affordable units will be provided pursuant to Division IV or
2 Division VI.

3 J. "Project" means a residential development, subdivision or similar
4 proposal for which City permits or approvals are sought.

5 K. "Senior citizen" means any head of household who is sixty-two
6 (62) years or older on the date of the notice of intent to offer a unit for sale
7 pursuant to Section 20.32.050 of this Code.

8 L. "Tenant household" shall mean one or more individuals who: (1)
9 have a landlord-tenant relationship with the property owner/converter, by
10 renting or leasing a rental unit to be converted; and (2) can demonstrate a
11 landlord-tenant relationship by providing copies of leases, cancelled rent
12 checks, rent receipts, utility bills, phone bills, or any other evidence of
13 renting or leasing the premises as determined by the Housing Services
14 Bureau.

15 M. "Very low income household" means a household who qualifies
16 as "very low income" pursuant to Health and Safety Code Section 50105,
17 or any successor statute thereto.

18 21.60.130 Applicability of this Chapter.

19 This Chapter applies to all areas of the City of Long Beach
20 including the coastal zone, except for Divisions IV and VI which apply,
21 when operative, to all areas of the City except for the coastal zone.

22 Division II. Administration and Determinations.

23 21.60.210 Administration.

24 A. The administration of the tenant relocation program and the
25 provisions of Division IV and, when and if operative, Division VI is
26 delegated to the Housing Services Bureau of the Department of
27 Community Development. The Bureau shall adopt appropriate guidelines
28 for program administration consistent with the intent of this Chapter. The

1 Bureau may charge applicants, developers, and owners for the
2 administration of this program as reasonably necessary to recover the full
3 costs of such administration. Applicants, developers and owners will be
4 charged for all direct costs incurred on their behalf along with other costs
5 of administration.

6 B. A schedule of hourly and other administrative fees shall be
7 adopted by resolution of the City Council of the City of Long Beach,
8 reviewed annually, and adjusted during the City's annual budget process.

9 C. Determinations.

10 1. It shall be the responsibility of the Housing Services
11 Bureau to determine if housing units to be demolished or converted to
12 condominiums are occupied by very low or low income households.

13 2. Determinations made by the Housing Services Bureau
14 shall be attached by the applicant to the building demolition permit
15 application or condominium conversion application, and shall become a
16 public record in all proceedings and hearings related to that application.
17 The Bureau shall verify the rent value history and insure that there have
18 been no price or other changes made for the purpose of circumventing
19 these regulations.

20 Division III. Relocation Assistance

21 21.60.310 Relocation benefits to be provided.

22 A. Notification of intended displacement.

23 1. Unless otherwise provided in this Chapter, very low or
24 low income households shall not be displaced from housing due to
25 demolition or condominium conversion as provided in this Chapter unless
26 first given prior written notice of the intended displacement, on a form
27 provided or approved by the Housing Services Bureau, at least eighteen
28 (18) months prior to the intended date of displacement. Said notice shall

1 include, but not be limited to, an advisement as to the availability of
2 relocation benefits as prescribed by this Chapter.

3 2. A household otherwise eligible for eighteen (18) month
4 notification hereunder may voluntarily waive such notification provided
5 that:

6 a. The waiver shall be in clear and legible writing in a
7 language the tenant understands;

8 b. The waiver shall clearly set forth the amount of
9 written notice the tenant household shall receive before vacating the unit
10 (a thirty (30) day minimum notice is required) together with an agreed
11 upon move-out date if there is one; and

12 c. The tenant household shall receive the full
13 relocation amount required by this Chapter at a date sooner than would
14 have been typically required by this Chapter. The owner shall pay the full
15 relocation amount directly to the tenant household, with proof of said
16 payment to the Housing Services Bureau, in the form of a certified check,
17 cashier's check, or money order. Any person executing a waiver pursuant
18 to this Section may rescind said waiver in writing, within seventy-two (72)
19 hours of its execution, for any reason whatsoever. Upon a timely
20 rescission, the waiver shall be of no further effect. Notification of
21 rescission need only be given by the tenant household once.

22 d. The office of the City Attorney approves the waiver
23 as to both form and content.

24 3. A household occupying a unit to which notification of
25 displacement has been previously given, or for which a waiver was filed by
26 another household, shall not be entitled to additional notification if, but
27 only if, it is given a true, accurate and legible copy of the previously given
28 notice or waiver prior to the time of its entry into a rental agreement for the

1 unit or, if no such agreement is signed, prior to taking occupancy.
2 Notification need only be given once, and any rescission shall not result in
3 commencement of a new eighteen (18) month notice period.

4 4. Notwithstanding any other provision of this Subsection
5 21.60.310.A, very low or low income households displaced by the
6 following classes of project need only be given prior written notice of the
7 intended displacement at least ninety (90) days prior to the intended date
8 of displacement for the following types of projects:

9 a. A project consisting of the demolition of a unit or
10 units the purpose of which is to construct a single family residence; or

11 b. A project consisting of the demolition of less than
12 twenty (20) existing dwelling units for the purpose of constructing a non-
13 residential project; or

14 c. Any project providing at least ten percent (10%) of
15 its units affordable to low income households or five percent (5%) of its
16 units affordable to very low income households pursuant to the provisions
17 of this Division IV.

18 B. Monetary Assistance.

19 1. Very low and low income households displaced due to
20 demolition or condominium conversion as provided in this Chapter shall be
21 entitled to three thousand nine hundred and forty-one dollars (\$3,941.00)
22 in relocation costs.

23 2. Very low and low income households with a disabled
24 member displaced under this Chapter shall be entitled to be reimbursed
25 for structural modifications that the tenant household previously made to
26 the dwelling unit up to a maximum value of an additional two thousand five
27 hundred dollars (\$2,500.00). Proof of structural modifications shall be
28 made to the satisfaction of the Housing Services Bureau.

1 3. In addition to the payments set forth above, qualified low
2 and very low income senior citizens or low and very low income
3 households with a disabled member as defined in this Chapter shall be
4 entitled to an additional payment of two thousand dollars (\$2,000.00).
5 Said payment shall be made by the City from available Tax Increment Set
6 Aside Funds as such funds are described in the California Redevelopment
7 Law (Health and Safety Code Section 33000 et. seq.) if the Housing
8 Services Bureau determines that the use of the Tax Increment Set Aside
9 Funds complies with the California Redevelopment Law. In the event that
10 the criteria is met for the payment described in this Subsection, said
11 payment shall be made directly to the prospective new landlord or agent
12 for the purpose of paying either the head of households first or last months
13 rent, security deposit, or any combination thereof.

14 4. The Housing Services Bureau of the Department of
15 Community Development shall increase these amounts on a percentage
16 basis as determined by the change in the consumer price index between
17 January 1, 2009, and January 1 of the year in which the application for
18 demolition, or a condominium conversion final tract map, is filed with the
19 City.

20 21.60.320 Provision of relocation benefits.

21 Applicants for demolition permits of two (2) or more residential units
22 and for condominium conversion of two (2) or more residential units shall
23 be responsible for providing relocation assistance to very low and low
24 income households which are permanently displaced under one of the
25 following circumstances:

26 A. The demolition permit will result in the loss of a unit which is
27 occupied by a very low or low income household, and will result in the
28 displacement of such a household which has been a tenant for at least

1 ninety (90) days prior to the application for demolition.

2 B. The tract map is for the conversion to condominium units of
3 apartment units which are occupied by very low or low income
4 households, and will result in the displacement of such households which
5 were tenant households at the time of approval of the tentative tract map,
6 or who rented a unit in such a project after the first notice of intention to
7 convert was given without being notified of the intended conversion and
8 who continued to rent or lease at the time as specified in the notice given
9 to tenants ten (10) days prior to approval of the final tract map as required
10 by Subsection 20.32.040.F of this Code.

11 21.60.330 When benefits inapplicable.

12 Relocation benefits are not required to be paid or given when the
13 applicant provides evidence to the satisfaction of the Housing Services
14 Bureau that the tenant household: 1) moved voluntarily (which shall not
15 include the situation where the landlord/owner has served the tenant with
16 a thirty (30) or sixty (60) day notice to quit or vacate), 2) that the unit has
17 been continuously vacant for at least six (6) months prior to the
18 application, 3) that the unit has been occupied by a household which is not
19 very low or low income for at least six (6) months prior to the application,
20 4) that the unit has never been occupied prior to the application, or 5) that
21 the application involves the demolition of no more than one (1) single
22 family dwelling unit. No owner or the agent of an owner shall evict a
23 tenant in order to avoid the provisions of this Chapter.

24 21.60.340 Payments and distribution of relocation benefits.

25 A. The relocation benefits required by this Chapter shall be paid by
26 the owner or designated agent directly to the tenant household in the form
27 of a certified check, cashier's check, or money order after the issuance of
28 the one hundred eighty (180) day notice. Upon proof of new tenancy

1 (e.g., a letter from a prospective landlord or a signed lease), and thirty (30)
2 days before the tenant household plans to move, the converter or its
3 designated agent shall pay relocation benefits in the amount of the first
4 month's rent and security deposit (not to exceed the total amount of the
5 relocation benefits due) directly to the tenant's new landlord or their
6 designated agent. The tenant household shall receive the balance of
7 relocation benefits due, if any, at the time the tenant household vacates
8 the unit. Proof of all payments shall be made to the Housing Services
9 Bureau.

10 B. In the event there is a certified Court Order in existence at the
11 time tenant relocation benefits are due and payable directing the tenant
12 household to pay back rent or other related costs to the converter, the
13 converter may deduct the amount of rent or costs owed in the certified
14 Court Order from the relocation benefits due if the converter first provides
15 a copy of the certified Court Order to the Housing Services Bureau and
16 obtains written approval to deduct this amount.

17 C. The Applicant may not receive approval of its Final Map or
18 demolition permit if relocation benefits have not been paid in full to all
19 tenant households as set forth in Subsection 21.60.340.A.

20 D. In cases where the landlord has prematurely paid the eligible
21 tenant or tenants all of the relocation benefit due, the landlord shall be
22 exempt from paying further amounts provided that the landlord must first
23 provide documentary evidence that such funds were paid to the tenant
24 pursuant to the terms of a waiver as set forth in Section 21.60.310.

25 E. Owners shall not evict tenant households to avoid their
26 responsibility to pay relocation benefits required to be paid pursuant to this
27 Chapter. Qualified tenant households receiving thirty (30) or sixty (60) day
28 notices to terminate or quit the premises after approval of the Tentative

1 Map shall be presumed eligible and entitled to collect relocation
2 assistance pursuant to this Chapter.

3 21.60.350 Appeals.

4 Any property owner or tenant household may contest a decision by
5 the Housing Services Bureau regarding eligibility, relocation payment
6 amounts, or any other determination or claim made pursuant to this
7 Chapter. A party desiring to appeal shall file a written "Notice of Appeal"
8 with the Director of Community Development, or designee within twenty
9 (20) days of the decision, determination or claim. The Director or
10 designee shall hold a hearing within fourteen (14) days of receiving the
11 Notice of Appeal. Within ten (10) days of the appeal hearing the Director
12 shall issue his/her determination in writing. All notices from the Director
13 relative to the appeal shall be sent to both the property owner and all
14 tenant households affected by the appeal. The determination of the
15 Director or designee shall be final and conclusive.

16 21.60.360 Private right of action.

17 Tenant households subject to displacement shall have standing as
18 third party beneficiaries to file an action against an owner for injunctive
19 relief and/or actual damages for failure of the owner to comply with the
20 provisions of this Chapter. Nothing herein shall be deemed to interfere
21 with the right of the owner to file an action against a tenant or non-tenant
22 third party for any damage that may have been done to the owner's
23 property. Nothing herein is intended to limit the damages recoverable by
24 any party through a private third party action.

25 21.60.370 Application to heirs.

26 The provisions of this Chapter shall apply to all property owners
27 and their heirs, assigns and successors in interest.

28 21.60.380 Relationship to other laws.

Nothing in this Chapter is intended to prevent displaced households from securing any relocation assistance and/or benefits to which they may be entitled under any other local, state or federal law.

21.60.390 Severability.

If any provision of this Chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this Chapter shall not be invalidated.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20__, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor